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SIPDIS

DOT FOR MCDERMOTT, SZABAT, AND SAMPLE

SENSITIVE BUT UNCLASSIFIED

E.O. 12958: N/A

TAGS: [EAIR](#) [ECON](#) [PREL](#) [PGOV](#) [NI](#)

SUBJECT: NIGERIA: CLEAR SKIES AHEAD FOR WORLD AIRWAYS?

REFS: (A) ABUJA 507

(B) ABUJA 337

(C) STATE 55416

(D) STATE 51785

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[11.](#) (SBU) Summary: World Airways' troubles securing landing rights from the Ministry of Aviation for charter service between Lagos, New York, and Atlanta could soon be over. On March 21, Minister of Aviation Kema Chikwe signed a memo approving World Airways' application and forwarded it to President Obasanjo, who will likely send it to Nigeria's Federal Executive Council (FEC) during the next few weeks for final approval. The Ministry's assent followed a March 19 meeting between Chikwe, Ambassador Jeter, and World Airways Station Manager Pat Munson to determine the status of World Airways' application. After chiding the airline for not approaching her directly about the charter service, the Minister said she would expedite the process. Chikwe's decision to approve the application came after nearly two months of USG insistence that the Ministry of Aviation respect Nigeria's bilateral commitment with the United States and grant World Airways' landing rights. End Summary.

[12.](#) (SBU) On March 21, Chikwe informed the Ambassador that she had signed a memo approving World Airways' application to operate air service between the United States and Nigeria and had forwarded it to the President for likely FEC consideration and final approval during the next few weeks. This followed a March 19 meeting between Ambassador Jeter, Minister Chikwe, and World Airways' Station Manager Pat Munson. After several unsuccessful attempts World Airways finally had a chance during the meeting to formally introduce itself to Chikwe and to assuage the Minister's concerns. Chikwe said the airline had only itself to blame for the delay in approval, as World Airways should have approached her before beginning advertising service. Munson apologized and sought guidance on the correct procedure to follow. The Minister accepted Munson's apology and said she would do all she could to expedite World Airways' application.

Background

[13.](#) (SBU) In January 2003, World Airways, a licensed U.S. carrier, filed a request with the Nigerian Civil Aviation Authority (NCAA) and the Ministry of Transportation to operate a charter flight between the United States and Nigeria. The USG had granted World Airways worldwide charter authority; in addition, the USG had authorized the touroperator RiteTime Aviation and Travel Services, to market the service. By letter dated February 4, the GON's Ministry of Aviation acknowledged that it was considering World Airways' application. The Ministry of Aviation nonetheless asked USDOT to confirm that World Airways was a "dependable" airline and not a front for Nigerians in the United States

[14.](#) (SBU) According to DOT officials, bilateral partners, such as Nigeria, customarily accept USG designation as sufficient evidence to approve service under the Open Skies Agreement. The DOT, nonetheless, provided a letter to the Ministry in late February stating that World Airways is "fit, willing and able" to provide air transport. Despite repeated attempts by Post to arrange a meeting between Minister Chikwe and World Airways in late February and early March, the Minister was unavailable (often campaigning with the President), and the Ministry of Aviation was also unable to provide information to the Embassy or World Airways concerning the application process. The Ambassador then met with President Obasanjo on March 7 to discuss World Airways' approval request. During the meeting, Obasanjo said the solution to the problem was for World Airways to find another tour operator. (Comment. Based on our conversations with World Airways officials over last two months, without RiteTime, World Airways will not fly to Nigeria. End Comment.)

More Background: DOT and Post Efforts

15. (SBU) During a March 11 meeting with Ambassador Jeter and visiting Deputy Assistant Secretary of Transportation Joel Szabat, DAS Szabat and Jeter expressed concern over the Ministry's delay in approving World Airways service, which under the current Open Skies agreement should be granted with "minimum procedural delay." Szabat stressed that the USG had fulfilled its obligation by designating World Airways an approved carrier. (The Notice of Designation was transmitted via Diplomatic Note in August 2001, then again as a courtesy in February 2003.)

16. (SBU) DAS Szabat reminded the Minister about the importance of faithfully honoring the bilateral air agreement and encouraged Chikwe to set a good precedent for other U.S. carriers potentially interested in beginning direct service to Nigeria. Should World Airways face too many difficulties in securing landing rights, he said, other U.S. carriers would not look favorably on doing business in Nigeria. Kevin Sample, Senior Advisor DOT, reminded the Minister that USG approval of the now suspended Nigeria Airways wet lease agreement with Atlanta Icelandic had taken less than 24 hours.

17. (SBU) During the March 11 meeting, the Minister complained about World Airways' alleged procedural failings. She criticized World Airways for not notifying the Ministry before the airline began advertising the new service. According to the Minister, the airline should have approached her in person with the appropriate paperwork before going public and advertising the service. Minister Chikwe also questioned World Airways' choice of business partner, Peter Obafemi, whose company is responsible for advertising and selling tickets. Obafemi had been involved in a failed deal with the National Aircraft Maintenance Project, which publicly embarrassed the Minister. Szabat reminded the Minister that the question about the ticketing agent was in no way related to the issue of Nigeria's respect of its bilateral commitment to the USG.

18. (SBU) The Minister next tried to link its approval of World Airways with Nigeria's attainment of Category I status. This FAA top safety ranking, which reflects international standards, would allow Nigeria to fly its planes and crews to the United States. Chikwe said she would find it much easier to approve World Airways after Nigeria obtained Category I status. Both Szabat and the Ambassador made clear that the two issues cannot be linked, as approval of air carriers falls under our bilateral agreement whereas the Category I standing depends on Nigeria's ability to pass an international aviation safety assessment.

19. (SBU) By the end of the March 11 meeting, Chikwe, although upset, said she still supported the deal and would put the issue before the Federal Executive Council after she received a recommendation from the NCAA and the Nigerian Airspace Management Agency (NAMA).

Comment

10. (SBU) Now that the Minister has met World Airways staff and vented her frustration, approval of the airline's request should become a reality. However, considering her past attempts to delay the deal, she may not be willing to admit defeat so easily. Her personal grudge against World Airways' ticketing agent, Peter Obafemi, remains a problem although she assured the Ambassador that the two had reconciled. Chikwe's animosity towards Obafemi is compounded by her unfamiliarity with World Airways, which led her to suspect the deal was possibly another swindle.

JETER